

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-CV-300**

MUHAMMAD W. K. ABDUL QADIR,

Plaintiff,

v.

SOUTH CAROLINA DEPARTMENT OF
MOTOR VEHICLES, ANN WICKER,
NORTH CAROLINA DEPARTMENT OF
MOTOR VEHICLES, and J.F. McHAN,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Relief from Order and Judgment under the Federal Rules of Civil Procedure 60(b)(1). For reasons given below, the Motion is DENIED. Under Rule 60(b)(1), a court *may* "relieve a party . . . from a denial judgment, order or proceeding for the following reasons," including "mistake, inadvertence, surprise, or excusable neglect." While the Court respects Mr. Qadir's attempts to have his license reinstated, he fails to state a cognizable claim and fails to state the manner in which this court was mistaken when Mr. Qadir's claim was dismissed. Mr. Qadir argues that this Court materially misrepresented his complaint and abdicated its duties, yet Mr. Qadir states no facts in support of this claim. The Court urges Mr. Qadir to utilize the process provided by South Carolina so that he might one day regain his license.

MOTION DENIED. SO ORDERED.

Signed: August 2, 2010

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

